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Attorneys for Plaintiff and Cross-Defendants  
THE CENTRAL INSTITUTE FOR EXPERIMENTAL ANIMALS

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE CENTRAL INSTITUTE FOR  
EXPERIMENTAL ANIMALS, a Japanese  
corporation,

Plaintiff,

v.

THE JACKSON LABORATORY, a Maine  
corporation,

Defendant.

Case No.: CV 08 5568 RMW

**STIPULATED REQUEST TO CONTINUE  
CASE MANAGEMENT CONFERENCE, AND  
ORDER – CORRECTED  
VERSION**

**Prior CMC Date:** May 22, 2009

**New CMC Date:** June 5, 2009

[Declaration of Michael D. Lisi filed concurrently  
herewith]

**AND RELATED COUNTERCLAIMS.**

Pursuant to Civil Local Rules 6-1(b) and 6-2, Plaintiff and Cross-Defendants The Central Institute for Experimental Animals (“CIEA”) requests that the Case Management Conference currently scheduled for May 22, 2009 at 10:30 A.M. be continued until June 5, 2009. Defendant and Counterclaimant The Jackson Laboratory (“Jackson”) stipulates to CIEA’s request.

1 WHEREAS, CIEA filed a complaint in this action on December 12, 2008;

2 WHEREAS, on March 12, 2009, the Clerk of the Court issued a Reassignment Order  
3 pursuant to which this action was reassigned from Magistrate Judge Patricia Trumbull to Judge  
4 Ronald M. Whyte for all further proceedings;

5 WHEREAS, on March 17, 2009, the Court served Notice that a Case Management  
6 Conference had been scheduled for April 27, 2009, before Judge Ronald M. Whyte;

7 WHEREAS, because of scheduling conflicts for Jackson's counsel, the parties requested a  
8 continuance of the Case Management Conference until May 15, 2009, which request was granted by  
9 the Court;

10 WHEREAS, on May 6, 2009, the Court continued the Case Management Conference to May  
11 22, 2009;

12 WHEREAS, counsel for CIEA has a scheduling conflict on that day, and will be out of town  
13 on that day attending a previously set matter in another case;

14 WHEREAS, the undersigned has discussed this conflict and counsel for Jackson does not  
15 oppose a postponement of the Case Management Conference;

16 WHEREAS, the undersigned has mutually determined that the next reasonably convenient  
17 Friday for both sides to appear for a Case Management Conference is June 5, 2009;

18 NOW THEREFORE, IT IS HEREBY STIPULATED by and between counsel for the parties,  
19 subject to Court approval, as follows:

20 The Case Management Conference in this action shall be continued from May 22, 2009, until  
21 June 5, 2009 at 10:30 A.M., or the next date thereafter available on the Court's calendar.

22 Dated: May 12, 2009

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

23 By: \_\_\_\_\_/s/\_\_\_\_\_

24 Kenneth E. Keller  
25 Michael D. Lisi  
26 Attorneys for Plaintiff  
27 THE CENTRAL INSTITUTE FOR  
28 EXPERIMENTAL ANIMALS

1 Dated: May 12, 2009

WOLF, GREENFIELD & SACKS, P.C.

2  
3 By: \_\_\_\_\_/s/\_\_\_\_\_

4 Michael N. Rader

Attorneys for Defendant and Counterclaimant

5 THE JACKSON LABORATORY

6  
7 I hereby attest that I have been authorized by Counsel for The Jackson Laboratory to execute  
8 this Stipulated Request to Reschedule Case Management Conference and [Proposed] Order.

9 Executed on this 12<sup>th</sup> day of May, 2009, at San Francisco, California.

10 By: \_\_\_\_\_/s/\_\_\_\_\_

11 Michael D. Lisi

12  
13 IT IS SO ORDERED.

14  
15 Dated: 5/20/09

16   
UNITED STATES DISTRICT JUDGE

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